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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)
12) No. CR 08-0173 DLJ
Plaintiff,)
13) STIPULATION AND [PROPOSED]
14 v.) ORDER CONTINUING CHANGE OF
15) PLEA DATE AND EXCLUSION OF
JUAN SARZA-GOMEZ,) TIME
16)
17 Defendant.)

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of
19 plea date in this case, currently scheduled for Friday, May 23, 2008, before Honorable D. Lowell
20 Jensen, may be continued to Friday, June 6, 2008, at 9:00 a.m. for change of plea and sentencing.
21 The parties have reached an agreement, however defense counsel needs additional time to meet with
22 Mr. Sarza-Gomez, with the assistance of an interpreter, and review the plea agreement. Should the
23 Court continue the matter to June 6, 2008, it will provide enough time for counsel to meet with her
24 client and review the agreement. The parties stipulate that the time from May 23, 2008, to June 6,
25 2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§
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1 3161(h)(8)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel.

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3 DATED: May 22, 2008

/S/

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JOYCE LEAVITT
Assistant Federal Public Defender

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7 DATED: May 22, 2008

/S/

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DANIEL KALEBA
Assistant United States Attorney

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10 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
11 conformed signature “/S/” within this e-filed document.

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13 **ORDER**

14 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea date in this
15 case, currently scheduled for Friday, May 23, 2008, before Honorable D. Lowell Jensen, may be
16 continued to Friday, June 6, 2008, at 9:00 a.m. for change of plea and sentencing.

17 IT IS FURTHER ORDERED that the time from May 23, 2008 to June 6, 2008, should be
18 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and
19 (B)(iv) for adequate preparation of counsel. The Court finds that the ends of justice served by the
20 granting of the continuance outweigh the best interests of the public and the defendant in a speedy
21 and public trial and the failure to grant the requested continuance would unreasonably deny counsel
22 the reasonable time necessary for effective preparation, taking into account due diligence.
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1 SO ORDERED.

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3 DATED:

4 HONORABLE D. LOWELL JENSEN
5 United States District Judge
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